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 DAVID KAYNE

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION -- E-FILING

DAVID KAYNE, an individual citizen of Georgia, Plaintiff, vs. THE THOMAS KINKADE COMPANY, formerly known as MEDIA ARTS GROUP, INC., a Delaware Corporation, Defendant.) Case No. C 07-4721 JF (RS)))) [PROPOSED] ORDER) SHORTENING TIME FOR A) HEARING ON PLAINTIFF'S) MOTION FOR TEMPORARY) RESTRAINING ORDER AND) PRELIMINARY INJUNCTION) TRO Hearing Date: October 5, 2007) Hearing Time: 9:00 a.m.) Courtroom: 3, 5th Floor
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GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that Plaintiff David Kayne's Motion for an Order Shortening Time for Hearing on Plaintiff's Motion for Preliminary Injunction is GRANTED. The Court further Orders as follows:

_____ A Temporary Restraining Order precluding defendant from proceeding with the subject arbitration until further order of this Court having been GRANTED, it is hereby Ordered that the date(s) for further briefing on and consideration of Plaintiff's motion for preliminary injunction shall be as follows:

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1 Defendant's Opposition to Preliminary Injunction to be filed and served by
2 October 9, 2007.

3 Plaintiff's Reply in Support of Preliminary Injunction to be filed and served
4 by **noon** on October 12, 2007.

5 Hearing on Plaintiff's Motion for Preliminary Injunction set for October 15,
6 2007 at 9:00 a.m..

7 **-OR-**

8 _____ A Temporary Restraining Order having been DENIED on the
9 basis that there will be an expedited hearing on Plaintiff's motion for preliminary
10 injunction, the preliminary injunction hearing will take place on **October 5, 2007**
11 at 9:00 a.m. Defendant's October 4 motion in response to the complaint shall also
12 be deemed to constitute Defendant's opposition to plaintiff's motion for a
13 preliminary injunction. Plaintiff may present any reply papers on the morning of
14 October 5 at or in advance of the hearing, after which the matter shall be deemed
15 submitted.

16 DATED: _____

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19 Hon. JEREMY FOGEL
20 United States District Judge
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